

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2025

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT TO ALL LANDS WITHIN THE URBAN AREA OF THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - FILE: HKA-03/24

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

AND WHEREAS the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

1. **THAT** the text of the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended as follows:

The following table outlines the changes that are included in this zoning by-law amendment. Text that is underlined indicates new text to be inserted in the By-law. Text that is crossed out (“~~strikethrough~~”) is to be deleted from the By-law.

Item No.	Description of Changes to By-law
1	Remove “Drive Through Service Facility” from Table 7A and remove footnote (*5). Renumber Table 7A footnotes accordingly.

Permitted Uses	Central Business District			
	CBD-A	CBD-B	UGC-MU	UGC-MU-2
	Core Commercial	Secondary Commercial	Urban Growth Center – Mixed Use	Urban Growth Center – Mixed Use - 2
Department Store			• (*12)	
Drive-Through Service Facility			• (*5)	• (*5)
Dry cleaning depot	•	•	• (*12)	•
Elementary School			•	
Fitness Centre	•	•	•	•
Food Bank			•	•
Food Store			• (*12)	
Funeral Home	•	•	•	
Home Day Care			•	
Home Occupation			•	
Hospital, Public or Private			•	
Hotel	• (*6)(*3)	• (*6)(*3)	• (*6)	
Laundromat	•	•	•	•
Library			•	•
Long-Term Care Facility			•	
Medical Clinic	•	•	•	•
Mixed Use Building			• (*9)(*11)(*13)	
Night Club			• (*4)(*6)	• (*4)(*6)

(*5) Drive-Through Service Facilities are only permitted within the C1-C, C1-E, and C1-F Zones in Zoning By-law 144-2003, as amended, until such time as the OMB appeals (Case No. PL140294) are resolved or withdrawn.

2 Add section 5.5.2:

5.5.2 Parking in the Major Transit Station Area

Notwithstanding any provisions of this by-law to the contrary, for all lands identified as Milton GO MTSA/Downtown Milton UGC on Schedule E1 to this by-law, the following parking provisions shall apply:

- i) A surface parking area at grade is not permitted to occupy more than 20% of the lot area;
- ii) Visitor parking associated with a residential use, and client parking associated with a permitted non-residential use, may be provided in any combination of a parking structure and a parking area and may be used for any combination of residential and permitted non-residential uses;
- iii) No part of a parking area or parking structure is permitted within a front yard or an exterior side yard;
- iv) Notwithstanding Section 5.1 iv), a parking stacker system shall be permitted in a parking structure and required parking may be provided by means of a parking stacker system. When parking is provided by means of a parking stacker system, the minimum parking stall size shall be 2.75 metres in width and 5.8 metres in length (mechanisms and equipment associated with the parking stacker are permitted within the minimum parking stall dimensions), except that the lower parking stall and the

	<p><u>elevated platform above such <i>parking space</i> may have dimensions of not less than 2.4 metres by 5.0 metres unobstructed;</u></p> <p>v) <u>Notwithstanding Section 5.1 ix), <i>loading spaces</i> and/or areas may be provided inside of a <i>building</i>;</u></p> <p>vi) <u>Notwithstanding Section 5.14, a <i>parking</i> structure that projects above <i>established grade</i> is not permitted within the first 9.0 metres of the depth of the <i>building</i> measured horizontally from the <i>main wall</i> facing a <i>street</i>, and the first 4.5 metres of <i>height</i> of the <i>building</i> measured vertically from the top of the floor of the <i>first storey</i> to the top of the floor of the second <i>storey</i> within that depth.</u></p> <p>vii) <u>Notwithstanding anything to the contrary, no minimum vehicle parking rates shall apply for lands located in the Milton GO MTSA/Downtown UGC area as identified on Schedule E1 to this by-law.</u></p> <p>viii) <u>Notwithstanding vii) above, where <i>parking spaces</i> are provided, a percentage of provided <i>parking spaces</i> must be allocated to accessible parking spaces, visitor parking spaces, and EV parking spaces as follows:</u></p> <p>a. <u>Visitor parking spaces shall be provided at a rate of 17% of the parking spaces provided.</u></p> <p>b. <u>Accessible parking spaces shall be calculated in accordance with Table 5H based on the number of parking spaces provided.</u></p> <p>c. <u>EV charging stations shall be calculated in accordance with Table 5O based on the number of parking spaces provided.</u></p> <p>ix) <u>For lands with a UGC-MU or UGC-MU-2 zone designation that is shown to contain a star symbol followed by a number on schedules to this By-law, the minimum required parking rates shall not apply.</u></p>				
3	<p>Reduce apartment buildings and visitor parking rates in Table 5E as follows:</p> <table border="1" data-bbox="370 1520 1369 1875"> <tr> <td data-bbox="370 1520 740 1713"><i>Apartment Buildings</i></td> <td data-bbox="740 1520 1369 1713"> <ul style="list-style-type: none"> • 4.5 <u>1.0</u> <i>parking spaces</i> per unit PLUS • 0.25 <u>0.20</u> <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>. </td> </tr> <tr> <td data-bbox="370 1713 740 1875"><i>All other dwellings units</i></td> <td data-bbox="740 1713 1369 1875"> <ul style="list-style-type: none"> • <i>2 parking spaces</i> per dwelling unit PLUS • 0.25 <u>0.20</u> <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i> </td> </tr> </table>	<i>Apartment Buildings</i>	<ul style="list-style-type: none"> • 4.5 <u>1.0</u> <i>parking spaces</i> per unit PLUS • 0.25 <u>0.20</u> <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>. 	<i>All other dwellings units</i>	<ul style="list-style-type: none"> • <i>2 parking spaces</i> per dwelling unit PLUS • 0.25 <u>0.20</u> <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i>
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<i>All other dwellings units</i>	<ul style="list-style-type: none"> • <i>2 parking spaces</i> per dwelling unit PLUS • 0.25 <u>0.20</u> <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i> 				

4	<p>Modify the following Motor Vehicle Definitions as follows:</p> <p>MOTOR VEHICLE BODY SHOP Means a premises <u>building</u> used for the painting or repairing of <i>motor vehicle</i> bodies, exterior and under-carriage, and in conjunction with which there may be a towing service, <u>and may include the temporary parking of motor vehicles in the process of service.</u></p> <p>MOTOR VEHICLE DEALERSHIP Means a premises <u>building</u> where new or used <i>motor vehicles</i> are displayed and/or offered for sale or lease and which may operate in conjunction with a <i>motor vehicle repair garage</i>, <u>and may include the outdoor display of inventory motor vehicles on the same lot.</u></p> <p>MOTOR VEHICLE RENTAL AGENCY Means a premises <u>building</u> where <i>motor vehicles</i> are kept for rent under agreement for compensation, <u>and may include the outdoor storage of motor vehicles available for rent.</u></p> <p>MOTOR VEHICLE REPAIR GARAGE Means a premises <u>building</u> used to conduct major and minor mechanical repairs of <i>motor vehicles</i> and includes such businesses as alignment, muffler, rust proofing, oil, lube and filter, auto glass, tire and radiator shops and in conjunction with which there may be such <i>accessory uses</i> as a towing service, and <i>motor vehicle</i> rentals, <u>and may include the temporary parking of motor vehicles in the process of repair.</u></p> <p>MOTOR VEHICLE WASHING ESTABLISHMENT Means a premises <u>building</u> used for the operation of <i>motor vehicle</i> washing equipment and may include the <i>use</i> of production line methods and mechanical devices or self-serve coin-operated facilities, but does not include any other <i>motor vehicle</i> establishment defined in this By-law, <u>and may include the temporary parking of motor vehicles waiting for service.</u></p>
5	<p>Add a footnote (*4) to the Apartment Building permitted use in Table 6A under the RO Zone, to require a minimum amenity space requirement.</p> <p>Add the following section, (*4) to the footnote(s) for Table 6A (*4) <u>A minimum of 4 m² per dwelling unit of outdoor communal amenity space shall be provided at grade and shall be maintained and operated by a common entity (such as a condominium corporation). This outdoor communal amenity space shall be aggregated into areas of not less than 50 m² and have a minimum width of 6.0 metre.</u></p>

6 Modify the Future Development Zone as follows:

Modify Section 12.1 Permitted Uses to add the following text:

Only *uses* that legally existed on the date this By-law came into effect are permitted. The development of new *buildings* and *structures* is not permitted, however, additions to existing *buildings* and *structures* are permitted subject to the zone standards below. Furthermore, *accessory buildings* within the Future Development Zone are permitted and shall be subject to the provisions of Section 4.2.1 Regulations for Residential *Accessory Buildings* and *Structures* and Section 4.2.2 Regulations for Attached and Detached Accessory Garages and Carports.

Modify Table 12A to the following:

TABLE 12A

Regulations	FD
	Future Development
Lot Frontage (Minimum)	as existing
Lot Area (Minimum)	as existing
Lot Coverage (Maximum)	N/A
Setbacks (Minimum)	
<i>Front Yard</i>	4.0m
<i>Interior Side Yard</i>	1.2m
<i>Exterior Side Yard</i>	4.0m
<i>Rear Yard</i>	7.5m
Building Height (Maximum)	<u>2 storeys</u>

Add the following text to the zone:

12.2.1 Additions to a legally existing residential *principal building* shall only be permitted up to a maximum of 10% of the *gross floor area* of the existing *building*.

12.2.2 Notwithstanding Section 12.2.1 to the contrary, a legally existing residential *principal building* may be replaced provided that the *gross floor area* does not exceed the *gross floor area* of the existing *building* plus 10% and that the existing foundation remains.

12.2.3 For the purposes of this zone, “Existing Building” means the residential *principal building* and its *gross floor area* that existed on January 1, 2025 and *Gross Floor Area* shall include attached garages.

12.2.4 Notwithstanding any provisions of this by-law to the contrary, where the *lot area* and/or *lot frontage* is modified through a Draft Plan of Subdivision approval, the *lot area* and *lot frontage* is deemed to comply.

7	<p>Add the following footnote (*3) to the Short-Term Rental Parking Rate in Table 5E:</p> <table border="1" data-bbox="375 296 1360 390"> <tr> <td data-bbox="375 296 740 390"><i>Short-Term Rental</i></td> <td data-bbox="743 296 1360 390"> <ul style="list-style-type: none"> • 1 parking space per short-term rental in addition to the required parking for the main dwelling unit. (*3) </td> </tr> </table> <p>(*3) <u>An additional parking space shall not be required for a short-term rental where the short-term rental occupies the entire dwelling unit.</u></p>	<i>Short-Term Rental</i>	<ul style="list-style-type: none"> • 1 parking space per short-term rental in addition to the required parking for the main dwelling unit. (*3)
<i>Short-Term Rental</i>	<ul style="list-style-type: none"> • 1 parking space per short-term rental in addition to the required parking for the main dwelling unit. (*3) 		
8	<p>Delete subsection ii) in Section 4.24</p> <p>ii) A minimum of 1 parking space per short-term rental is provided in addition to the required parking for the main dwelling unit.</p> <p>and replace with the following:</p> <p>ii) <u>Parking for a short-term rental shall be provided in accordance with Table 5E.</u></p>		
9	<p>Add Section 5.20 ELECTRIC VEHICLE CHARGING EQUIPMENT</p> <p>5.20 <u>ELECTRIC VEHICLE CHARGING EQUIPMENT</u></p> <p><u>Equipment for the charging of an electric vehicle is permitted to encroach within a parking space provided that the charging equipment is located in the same parking space as the vehicle to be charged and provided it complies with the following:</u></p> <ul style="list-style-type: none"> i) <u>Where the EV charging equipment is mounted on a pedestal, it shall be located within 0.50 metres of the corner of the parking space at the furthest end from the drive aisle from which vehicle access is provided, measured at right angles;</u> ii) <u>Where the EV charging equipment is mounted on a wall, it shall be setback a minimum of 5.3 metres from the drive aisle from which vehicle access is provided, measured at right angles, and be mounted a minimum of 1.0 metres from the ground; and,</u> iii) <u>Equipment for the charging of an electric vehicle shall not encroach into a required landscape buffer or loading space and shall not obstruct pedestrian walkways or vehicular traffic.</u> 		

10	<p>Amend Section 1.11.3iii) as follows:</p> <p style="margin-left: 40px;">iii) Nothing in this By-law shall prevent the issuance of a <i>building</i> permit in accordance with both Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021, 007-2022, 050-2024 or <u>XXX-2025</u>, whichever by-law applies to the subject property, and a related minor variance that was granted approval by the Town of Milton Committee of Adjustment or the Local Planning Appeal Tribunal, under Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021, 007-2022, 050-2024 or <u>XXX-2025</u>, as applicable, so long as the complete application for the building permit has been filed by the date of compliance with the conditions pursuant to the decision of the Town of Milton Committee of Adjustment or the decision of the Local Planning Appeal Tribunal.</p>
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2. If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal amends the by-law pursuant to Section 34(26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Tribunal's Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON JANUARY 27, 2025.

_____ Mayor
Gordon A. Krantz

_____ Town Clerk
Meaghen Reid